

IC 26-4-5

Chapter 5. Withdrawal From and Reentry Into the Grain Indemnity Program

IC 26-4-5-1

Refunds; form, restrictions, extension, notice

Sec. 1. (a) A producer upon and against whom a producer premium is charged and collected under the provisions of this chapter may demand of and by complying with this chapter receive from the fund through the board a refund of the producer premiums collected from the producer.

(b) The board shall develop the form on which a demand for a refund must be filed. The board shall make the form available to grain buyers, producers, and the public upon request.

(c) Except as provided in subsection (d), a demand for a refund under this section is only valid if:

(1) made in writing and:

(A) hand delivered; or

(B) sent by first class mail;

to the board; and

(2) delivered or sent to the board not more than twelve (12) months after the premium was collected.

(d) The board may for good cause grant an extension for filing a demand for a refund under this chapter.

(e) A producer that requests and receives a refund under this section is not protected and will not be compensated by the grain indemnity program.

(f) Before January 1 of each year in which producer premiums were collected during the immediately preceding calendar year, the board shall send a notice to each producer who requested a refund of producer premiums in any previous year. The notice must inform the producer of the time frame in which a request for a refund must be made and the method of filing for a refund.

As added by P.L.250-1995, SEC.1.

IC 26-4-5-2

Reentry into program; conditions; date coverage commences

Sec. 2. (a) A producer who has received a refund of a producer premium under section 1 of this chapter and has made a request for reentry may reenter the grain indemnity program if the following conditions are satisfied:

(1) The producer petitions the board for approval of reentry into the grain indemnity program by hand delivering or sending by certified mail, return receipt requested, a written request in a form required by the board.

(2) The board reviews the producer's petition for reentry and approves the petition.

(3) The producer pays into the fund:

(A) all previous producer premium refunds; and

(B) interest on the refunds;

as determined by the board.

(b) A producer that reenters the grain indemnity program under subsection (a)(3) is protected by the program from the time all previous producer premium refunds and interest on the refunds are paid to the fund.

As added by P.L.250-1995, SEC.1.

IC 26-4-5-3

Noncoverage of producer

Sec. 3. A producer is not protected by the grain indemnity program if the producer:

- (1) failed to pay the producer premiums before a failure that causes the producer to lose money;
- (2) asked for a refund under section 1 of this chapter; or
- (3) sold grain to an unregistered grain buyer or stored grain with a warehouse not licensed under IC 26-3-7 or the United States Warehouse Act.

As added by P.L.250-1995, SEC.1. Amended by P.L.173-1999, SEC.19.